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<u>03-315</u>	<u>RAYSA NUNEZ & YAIMA ACOSTA</u>

THE FOLLOWING HEARING WAS DEFERRED & REVISED FROM 12/10/02 TO THIS DATE:

HEARING NO. 02-3-CZ10-2 (01-358)

10-54-40
Council Area 10
Comm. Dist. 10

APPLICANT: SARLABOUS FAMILY TRUST

- (1) MODIFICATION of Condition #2 of Resolution Z-227-87, passed and adopted by the Board of County Commissioners, and further modified by Resolution 5ZAB-56-95, passed and adopted by the Zoning Appeals Board, and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Covered Walkway for the Sarlabous,' as prepared by Gilberto E. Mojica, P.E., dated received 8/3/94 and consisting of 4 pages."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed New Addition for the Sarlabous,' as prepared by E. C. & Assocs., Inc. consisting of 2 sheets; Sheet 1 dated 1/22/02 and Sheet 2 dated 11/5/01."

The purpose of this request is to permit the applicant to submit new site plans indicating the proposed game room/sitting room addition for a previously approved home for the aged.

- (2) Applicant is requesting to permit a proposed addition setback a minimum of 7.5' (50' required; 25' previously approved) from the rear (east) property line.
- (3) Applicant is requesting to permit a CBS building (laundry room) spaced 2' (10' required) from a covered walkway.
- (4) Applicant is requesting to permit parking spaces to back out onto S.W. 79th Court (not permitted).

Upon a demonstration that the applicable standards have been satisfied approval of request #1 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and requests #2 - #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plan is on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 6 & 7, Block 5, FONTAINBLUE GARDENS, Plat book 65, Page 8.

LOCATION: 7930 S.W. 11 Street & 1061 S.W. 79 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.566 Acres

PRESENT ZONING: RU-1 (Single Family Residential)

APPLICANT: CITY OF CORAL GABLES

MODIFICATION of Conditions #2 & #10 of Resolution Z-2-00, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'City of Coral Gables Maintenance Facility,' as prepared by Wolfberg Alvarez & Partners, dated 1/18/99, dated last revised 2/26/99, consisting of 18 sheets, plans entitled 'City of Coral Gables Maintenance Facility,' as prepared by Wolfberg Alvarez & Partners dated, received 2/9/00, consisting of 2 sheets, along with plans entitled 'Boundary & Topographic Survey,' as prepared by C. A. P. Engineering Consultants, dated 7/98, consisting of 8 sheets, for a total of 25 sheets, except as herein modified to provide the required widths for the one-way drives (with the exception of the weight station, only), two-way drives and back-out space."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'City of Coral Gables Maintenance and Storage Facility,' as prepared by The City of Coral Gables Public Works Department, consisting of 2 pages and dated received 12/19/03."

FROM: "10. That the entire incinerator facility, which as depicted in the plans consists of the smokestacks, the adjacent building and all accessory structures, shall be demolished and removed from the property within 3 years of the approval of this zoning application. Pending its demolition and removal, the applicant shall cause the following improvements to be made to the incinerator facility, (a) all broken windows will be repaired or replaced; (b) the property shall be landscaped in accordance with county regulations; (c) all debris shall be removed; and (d) the building shall be painted. The applicant shall commence the improvements to the incinerator facility within 5 business days following the expiration of the appeal period on the resolution approving the application; provided that if an appeal of the resolution is filed, the improvements shall commence within 5 business days of an appellate decision affirming the approval of the application becoming final and not subject to additional appeals. The improvements shall be completed within 180 days of the date of commencement of said improvements."

TO: "10. That the smokestack be demolished and removed from the property within 7 years of the approval of this zoning application. Pending its demolition and removal, the applicant shall cause the following improvements to be made to the incinerator facility, (a) all broken windows will be repaired or replaced; (b) the property shall be landscaped in accordance with county regulations; (c) all debris shall be removed; and (d) the building shall be painted. The applicant shall commence the improvements to the incinerator facility within 5

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APPLICANT: CITY OF CORAL GABLES

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business days following the expiration of the appeal period on the resolution approving the application; providing that if an appeal of the resolution is filed, the improvements shall commence within 5 business days of an appellate decision affirming the approval of the application becoming final and not subject to additional appeals. The improvements shall be completed within 180 days of the date of commencement of said improvements."

The purpose of the request is to allow the maintenance and continued use of certain structures previously required to be demolished, and to allow additional time to complete the demolition of the smokestack and to allow the applicant to submit a revised plan showing a larger area for the storage of plants and landscaping materials.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

SUBJECT PROPERTY: A portion of Tract 1 of UTILITIES CENTER, Plat book 50, Page 91, more particularly described as follows:

Commence at the Point of intersection of the west line of east 12.5' of said Tract 1, with the south line of the north 1,010.8' of said Tract 1; thence run S0°46'30"E along the west line of the east 12.5' of said Tract 1 for a distance of 383.9' to the Point of beginning; thence continue along the west line of the east 12.5' of said Tract 1, S0°46'30"E, for a distance of 868.55' to the Point of intersection with the south line of said Tract 1; thence run N57°15'6"W along the south line of said Tract 1, for a distance of 1,591.13' to the Point of intersection with the west line of said Tract 1; thence run N32°44'54"E, along the west line of said Tract 1, for a distance of 428.57' to the Point of curvature of a circular curve, concave to the west; thence run NE/ly along the west line of said Tract 1 and along the arc of said circular curve, having a radius of 95', central angle of 15°0'17", for an arc distance of 24.88'; thence run S57°15'6"E, for a distance of 540.79'; thence run S84°17'14"E, for a distance of 110'; thence run S57°15'6"E, for a distance of 45'; thence run S77°55'8"E, for a distance of 85'; thence run S57°15'6"E, for a distance of 120'; thence run N32°44'54"E, at right angle to the previously described course for a distance of 193'; thence run S57°15'6"E, at right angle to the previously described course for a distance of 102'; thence run S10°35'38"E, for a distance of 55'; thence run S81°41'55"E, for a distance of 122.24' to the Point of beginning.

LOCATION: 2800 S.W. 72 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 16.64 Acres

PRESENT ZONING: IU-3 (Industry – Unlimited)

APPLICANTS: CARLOS SANTANA & ANGELINA DESVARS

- (1) Applicant is requesting to permit a single family residence setback 14.35' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit a single family residence setback varying from 18' to 24.89' (25' required) from the front (south) property line.
- (3) Applicant is requesting to permit a single family residence setback a minimum of 14' (15' required) from the side street (east) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of the above requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Carlos Santana Residence," as prepared by Raul A. Piñon, Architect, dated received 8/22/03 and consisting of one sheet.

SUBJECT PROPERTY: Lot 6, Block 25, CENTRAL MIAMI, PART TWO, Plat book 10, Page 66.

LOCATION: 6255 S.W. 39 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 69.47' x 105'

PRESENT ZONING: RU-1 (Single Family Residential)

APPLICANTS: RUBEN & SALLY GONZALEZ

MODIFICATION of Condition #2 of Resolution CZAB-10-8-98, passed and adopted by Community Zoning Appeals Board #10, and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Professional Office Bldg.,' as prepared by In-Architecture, Inc., dated 7-27-97."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Office Building for Dr. Ruben Gonzalez, M. D., as prepared by Ricardo P. Rodriguez, Architect,' dated 6/19/03 and consisting of 3 sheets."

The purpose of the request is to permit the applicant to submit a new site plan indicating a two-story office building where a one-story building was previously approved.

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in The Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 19, THIRD ADDITION TO TROPICAL HIGHLANDS, Plat book 59, Page 12.

LOCATION: The east side of S.W. 87 Avenue & 230' north of S.W. 38 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 10,488 sq. ft.

PRESENT ZONING: RU-2 (Two Family Residential)

APPLICANT: MIAMI-DADE COUNTY

GU to RU-3

SUBJECT PROPERTY: Tract 1: Commence at the Southeast corner of the SE ¼ of Section 2, Township 54 South, Range 39 East; thence N1°29'52"W, along the east line of said SE ¼ of Section 2, a distance of 1,089.25'; thence S89°45'24"W, a distance of 62.75' to the intersection with the west right-of-way line of S.W. 127th Avenue; thence continue S89°45'24"W along a line 100' from and parallel to the north of the centerline of the Tamiami Canal (C-4), Plat book 28, Page 36, a distance of 107.3'; thence S1°29'52"E, along a line 100' from and parallel to the west of the most W/ly right-of-way line of S.W. 127th Avenue, a distance of 40.01'; thence S89°45'24"W, along a line 60' from and parallel to the north of the centerline of said Tamiami Canal (C-4), a distance of 137.52' to the Point of beginning of the hereinafter described parcel of land; thence continue S89°45'24"W, along said line 60' from and parallel to the north of said centerline of the Tamiami Canal (C-4), a distance of 275.98' to the Point of tangency of a circular curve to the right, having as its elements, a central angle of 88°46'47", radius of 60', and a chord distance of 83.94'; thence N/ly along the arc of said curve to the right, a distance of 92.97' to the Point of tangency on a line 20' from and parallel to the east of the NE¼, SE ¼, SE ¼; thence N1°27'49"W, a distance of 162.92' to the intersection with the south right-of-way line of S.W. 6th Street; thence N87°43'36"E, along said south right-of-way line of S.W. 6th Street; a distance of 334.8'; thence S1°25'59"W, a distance of 233.52' to the Point of beginning.

LOCATION: The south side of S.W. 6 Street & approximately 200' west of S.W. 127 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.73 Acres

GU (Interim)
RU-3 (Four Unit Apartment)

APPLICANT: LOURDES T. MENDEZ

- (1) Applicant is requesting to permit an existing residence setback 24' from the front (north) property line (25' required).
- (2) Applicant is requesting to permit a cabana building with bath setback 14.9' from the side street (west) property line (20' required).
- (3) Applicant is requesting to permit an existing swimming pool setback 68.15' from the front (north) property line (75' required).

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cabana of Mrs. Lourdes T. Mendez," as prepared by Emilio Castro, P. E., dated 8/27/03 and consisting of one sheet. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 3, ARTBILT HOMES, Plat book 49, Page 56.

LOCATION: 6890 S.W. 27 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 73.58' x 107'

PRESENT ZONING: RU-1 (Single Family Residential)

HEARING NO. 04-2-CZ10-6 (03-278)

10-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: HERMILIO CONCEPCION

AU to RU-1M(a)

SUBJECT PROPERTY: The north ½ of Tract 7, J. G. HEAD'S FARMS, Plat book 46, Page 44 in Section 10, Township 54 South, Range 39 East.

LOCATION: East of theoretical S.W. 147 Avenue & approximately 160' north of theoretical S.W. 17 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.34 Acres

AU (Agricultural – Residential)

RU-1M(a) (Modified Single Family Residential District – 5,000 sq. ft. net)

HEARING NO. 04-2-CZ10-7 (03-284)

16-54-39
Council Area 10
Comm. Dist. 11

APPLICANTS: LUIS R. VILARINO & ANA HUNG

- (1) Applicant is requesting to permit a swimming pool setback 3.84' from the rear (west) property line (7.5' required).
- (2) Applicant is requesting to permit a swimming pool setback 5' from the interior side (north) property line (10' required).

Upon a demonstration that the applicable standards have been satisfied, approval of such requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Ana Hung & Luis R. Vilarino," as prepared by Victor Somohano, dated 8-21-03 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 8, Block 3, BISMARK HOMES AT VENEZIA, Plat book 157, Page 2.

LOCATION: 3318 S.W. 152 Place, Miami-Dade County, Florida.

SIZE OF PROPERTY: 50' x 100'

PRESENT ZONING: RU-1M(a) Modified Single Family Residential District – 5,000 sq. ft. net)

HEARING NO. 04-2-CZ10-8 (03-294)

3-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: YO-YO INVESTMENTS, INC.

UNUSUAL USE to permit a day care center.

Plans are on file and may be examined in the Zoning Department entitled "Kids Kingdom Academy Day Nursery," as prepared by Arkitere Teresita Vazquez, Registered Architect, dated and sealed 8/14/03 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Commence at the Southwest corner of the SE $\frac{1}{4}$, of the SW $\frac{1}{4}$, of Section 3, Township 54 South, Range 39 East, of BUSINESS SECTION OF J. G. HEAD'S FARMS, Plat book 46, Page 44; thence run N1°42'43"W along the west line of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ for a distance of 503.41' to the Point of beginning; thence continue N1°42'43"W along the aforescribed west line for a distance of 56.25 to a point; thence run N87°42'43"E for a distance of 304.44' to a point; thence run N1°42'47"W for a distance of 99.95' to a point; thence run N87°42'43"E for a distance of 280' to a point; thence run S1°42'52"E for a distance of 156.2' to a point; thence S87°42'43"W for a distance of 583.48' to the Point of beginning.

LOCATION: Lying west of S.W. 143 Avenue and 159' north of S.W. 9 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1 Acre

PRESENT ZONING: RU-1M(a) Modified Single Family 5,000 sq. ft. net)

HEARING NO. 04-2-CZ10-9 (03-302)

16-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: FARO INVESTMENTS, INC.

GU to RU-1M(b)

SUBJECT PROPERTY: The south $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, less the east 440' and the south 35' in Section 16, Township 54 South, Range 39 East.

LOCATION: The Northeast corner of theoretical S.W. 148 Avenue & S.W. 34 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.35 Acres

GU (Interim)

RU-1M(b) (Modified Single Family Residential District – 6,000 sq. ft. net)

HEARING NO. 04-2-CZ10-10 (03-315)

15-54-39
Council Area 10
Comm. Dist. 11

APPLICANTS: RAYSA NUNEZ & YAIMA ACOSTA

GU to RU-1M(b)

SUBJECT PROPERTY: The east 200' of the west 425' of the south $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, less the south 25' of Section 16, Township 54 South, Range 39 East.

LOCATION: Lying north of theoretical S.W. 40 Street and approximately 200' east of S.W. 149 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.4 Net Acres

GU (Interim)

RU-1M(b) (Modified Single Family Residential District – 6,000 sq. ft. net)